

SENATE BILL REPORT

SB 5306

As Reported by Senate Committee On:
Government Operations, Tribal Relations & Elections, February 14, 2011

Title: An act relating to permitting federally recognized Indian tribes to certify counselors as agency affiliated counselors.

Brief Description: Permitting federally recognized Indian tribes to certify counselors as agency affiliated counselors.

Sponsors: Senators Chase, Swecker and Roach.

Brief History:

Committee Activity: Government Operations, Tribal Relations & Elections: 1/27/11, 2/14/11 [DPS].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 5306 be substituted therefor, and the substitute bill do pass.

Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker, Ranking Minority Member; Nelson and Roach.

Staff: Diane Smith (786-7410)

Background: An agency-affiliated counselor is a person engaged in counseling and who is employed by an agency. An agency is a county, or agency or facility operated, licensed, or certified by the state of Washington. In order to practice counseling as an employee of a state agency, a person must be registered to practice as an agency-affiliated counselor by the Department of Health. However, the department may not issue any new registered counselor credentials after July 1, 2009.

Agency-affiliated counselor is one of several other types of counseling occupations under the jurisdiction of the department. The other credentials for counselors are certified counselor, certified advisor, and hypnotherapist. The professions of psychiatry and psychology, in contrast, are regulated practices.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Counseling means employing any therapeutic techniques for a fee, that offer assistance to people in the amelioration or adjustment of mental, emotional, or behavioral problems. This includes development of the human potential, hypnotherapy, social work, mental health counseling, and marriage and family therapy, among other techniques. An agency-affiliated counselor also includes juvenile probation counselors.

Summary of Bill (Recommended Substitute): Persons engaged in counseling and employed by a federally recognized Indian tribe located within the state are included within the definition of agency-affiliated counselor.

EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS COMMITTEE (Recommended Substitute): The title is changed to correct a technical error so that the title accurately reflects the effect of the bill.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: This bill treats a matter of cultural competence in the medical and business communities. Unobservable psychological consequences can go largely unnoticed. This bill allows tribes to certify their own counselors. Due to prior legislation, tribes could not get reimbursement for their counselors. This mistake was inadvertent.

Persons Testifying: PRO: Senator Chase, prime sponsor; Lonnie Johns-Brown, American Indian Health Commission; Claudia Kauffman, Muckleshoot; Debra Lekanot, Swinomish Tribe.